

---

By: Delegates G. Clagett, Bobo, Conroy, DeBoy, James, King, Leopold, Madaleno, Mandel, Parker, Parrott, and Pendergrass Pendergrass, Goodwin, Kaiser, Ross, Bartlett, Bozman, Heller, Myers, McKee, Marriott, Hixson, Healey, C. Davis, Howard, Gordon, Patterson, Cardin, Ramirez, Elmore, McMillan, Hogan, Weldon, Bohanan, Boschert, Boteler, Bromwell, Brown, Burns, Cadden, V. Clagett, Cluster, Cryor, Donoghue, Dumais, Dwyer, Elliott, Fulton, Gilleland, Glassman, Griffith, Hennessy, Holmes, Impallaria, Jameson, Jennings, Kach, Kelly, McComas, McDonough, Miller, Minnick, Mitchell, Quinter, Shank, Simmons, Smigiel, Sophocleus, Sossi, Stocksedale, Stull, Trueschler, Vaughn, and Zirkin

Introduced and read first time: January 21, 2004  
Assigned to: Ways and Means

---

Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 23, 2004

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Higher Education - Resident Tuition Charges - United States Military**  
3 **Personnel, Spouses, and Dependents**

4 FOR the purpose of establishing that certain military personnel, spouses, and  
5 dependents of military personnel, and certain veterans are exempt from paying  
6 nonresident tuition at certain public institutions of higher education under  
7 certain circumstances; requiring the Maryland Higher Education Commission to  
8 adopt certain regulations; and generally relating to tuition charges for certain  
9 individuals attending public institutions of higher education in the State.

10 BY adding to  
11 Article - Education  
12 Section 15-106.3  
13 Annotated Code of Maryland  
14 (2001 Replacement Volume and 2003 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

1

**Article - Education**

2 15-106.3.

3 (A) THIS SECTION APPLIES TO THE FOLLOWING INDIVIDUALS:

4 (1) AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES;

5 (2) THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES  
6 ARMED FORCES;7 (3) A FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER OF  
8 THE UNITED STATES ARMED FORCES; OR9 (4) AN HONORABLY DISCHARGED VETERAN OF THE UNITED STATES  
10 ARMED FORCES.11 (B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN  
12 INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION IS EXEMPT FROM  
13 PAYING NONRESIDENT TUITION AT A PUBLIC INSTITUTION OF HIGHER EDUCATION  
14 IN THIS STATE IF:15 (1) THE ACTIVE DUTY MEMBER REFERRED TO IN SUBSECTION (A) OF  
16 THIS SECTION:

17 (I) IS STATIONED IN THIS STATE;

18 (II) RESIDES IN THIS STATE; OR

19 (III) IS DOMICILED IN THIS STATE; OR

20 (2) THE HONORABLY DISCHARGED VETERAN PRESENTS THE  
21 FOLLOWING DOCUMENTATION WITHIN 1 YEAR AFTER THE VETERAN'S DISCHARGE:22 (I) EVIDENCE THAT THE VETERAN ATTENDED A PUBLIC OR  
23 PRIVATE SECONDARY SCHOOL IN THIS STATE FOR AT LEAST 3 YEARS; AND24 (II) DOCUMENTATION THAT THE VETERAN GRADUATED FROM A  
25 PUBLIC OR PRIVATE SECONDARY SCHOOL IN THIS STATE OR RECEIVED THE  
26 EQUIVALENT OF A HIGH SCHOOL DIPLOMA IN THIS STATE.27 (C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A SPOUSE  
28 OR FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER WHO IS  
29 ENROLLED AT AN INSTITUTION OF HIGHER EDUCATION AND IS EXEMPT FROM  
30 PAYING NONRESIDENT TUITION UNDER SUBSECTION (B) OF THIS SECTION SHALL  
31 CONTINUE TO BE EXEMPT FROM PAYING NONRESIDENT TUITION IF:32 (1) THE ACTIVE DUTY MEMBER NO LONGER MEETS THE REQUIREMENTS  
33 OF SUBSECTION (B)(1) OF THIS SECTION; AND

1           (2)     THE SPOUSE OR FINANCIALLY DEPENDENT CHILD REMAINS  
2 CONTINUOUSLY ENROLLED AT THE INSTITUTION OF HIGHER EDUCATION.

3     (D)     THE COMMISSION SHALL ADOPT REGULATIONS IN ACCORDANCE WITH  
4 TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE TO IMPLEMENT THE  
5 PROVISIONS OF THIS SECTION.

6     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 July 1, 2004.